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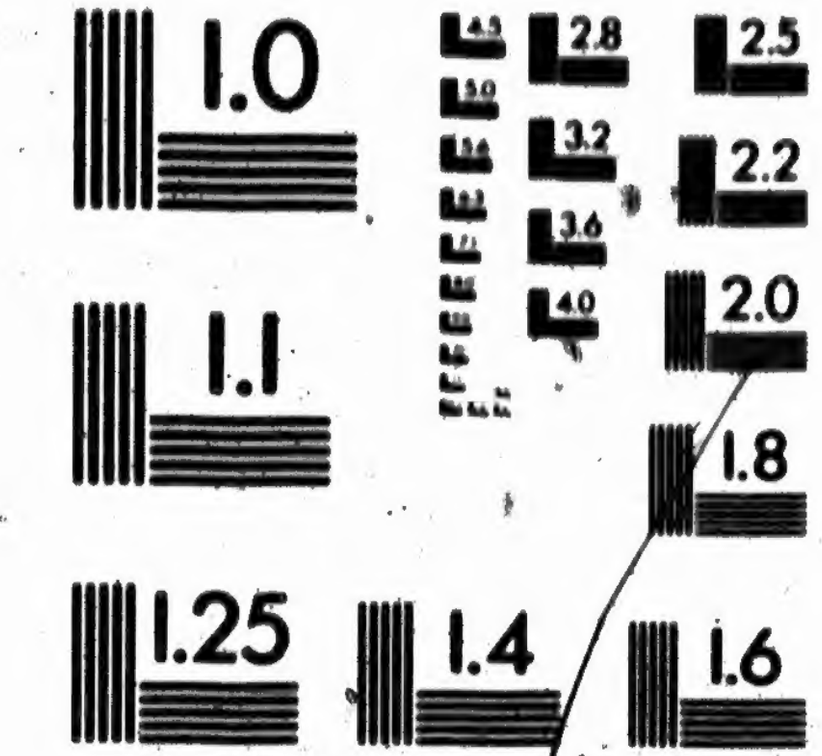

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LEGISLATIVE COUNCIL.

ON THE ORGANIZATION OF THE MILITIA.

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REFERENCE

Honorable Gentlemen—

Although it is not usual to explain a Bill at its first reading, I hope the House will permit me to enter into some of the details of this measure now, inasmuch as I do not intend to proceed further with it during the present Session.

That is all very well, some one may perhaps say to me; but did you not, while you were in opposition, find fault with the present law, if not as to its principle at any rate as to its details, most of which you last year represented as injust, impracticable, &c. &c.? Having found fault with the details of your predecessors' measure, why do you at once press for the adoption of your own?

I answer that there is a very great difference between my position and that of my predecessors. They found the field clear. I find it occupied by a law, the operation of which has hardly begun. It is one thing to build on clear ground, and quite another thing to take down and then build up again. I wish to give the law passed at the instance of the late administration all the advantage of a fair and thorough trial.

But, apart from these motives, there is an objection to immediate legislation on the subject of the militia which I feel it to be my duty to bring forward. For nearly two years past the lists of officers of the Sedentary Militia have been neglected, and have not been kept up to their full complement; and as the law I have in contemplation cannot be put into operation without the concurrence of the officers of the Sedentary Militia, it will be absolutely necessary to wait until the requisite appointments have been made. Therefore, if the present law works but imperfectly, as is most probable, very little time will be lost by waiting until next Session and employing the intervening period in completing the organization of the Sedentary Militia.

And now I must say that if it be true that this bill is founded upon the compulsory principle, it is also true that the same principle is to be found in the present law, and that to an infinitely greater degree and in a much more severe form. Nothing can be easier to prove than this, and I will prove it to you in a moment. By my bill no men will be ballotted for in any Company if there are found in that Company a sufficient number of Service men who are already enrolled in the Volunteer Force, or if a sufficient number of such men in that Company come forward of their own accord and offer to be enrolled in the Service Militia; and in no case will more men be drawn by

lot from any Company than may be required to form, or complete, one sixth of the whole number of the Service men in such Company. By my bill, then, a call is first made for Volunteers; and it is only in default of such that resort is had to the ballot.

Is it so with the present law? are the militiamen referred to in any way for the purpose of ascertaining whether they are willing to be enrolled in the Service Militia? No, not at all; they are not consulted in any way. First of all they are enrolled by the assessors or valuators for the respective municipalities, by whom Rolls of their names are transmitted, in Upper Canada, to the County Clerk, who compiles from them County Rolls; which he delivers to the Clerk of the Peace, in Lower Canada, to the Warden of the County, and from him to the Secretary-Treasurer of the County Council, who compiles from them County Rolls, which he delivers to the Registrar of the County. Then, whenever it pleases the Commander in Chief, the names of all the service men of a municipality are put into one box, from which a certain number are drawn by chance in the presence, in Upper Canada of the Judge, the Sheriff and the Warden of the County, in Lower Canada of the Registrar and Warden of the County and an officer or officers of the Militia. That is all the ceremony there is about it; and if that is not a compulsory system, and one of the worst kind, I must admit that I no longer understand the meaning of words. And yet, it is this beautiful system, this ballotting with closed doors, in secret, without the knowledge of the militiamen, that the friends of the late ministry cry up so loudly at the same time that they exert themslves to put the inhabitants of the Province on their guard against what they call *the compulsory system, the draft*! Well! I ask any honest and reasonable man whether it is possible to imagine a more coercive system, or one that is more despotic than the one on which the present law is based?

In my bill I have taken care to restore the old organization of the Sedentary Militia, of that militia which from time immemorial has rendered such good service to the country, and which has hitherto been so popular. I am really unable to understand how it is that certain persons have been so mistaken on the subject of the importance of the sedentary militia. Such persons have not chosen to see in that arm of the public defence any thing but an inert force, commanded by superannuated and incompetent officers, unable to render any service. Those who, in defiance of well known facts in the history of the Sedentary Militia, have hitherto scouted the idea

of that force being of any use have been either very ignorant or very insincere. The Sedentary Militia has never, it is true, been by its nature essentially effective as a moveable force, available under all circumstances. No, doubtless, since the services rendered by the Sedentary Militia have generally been of another kind, but they have not, for that, been less important. It has always been the officers of that arm who have made the Militia Rolls and Returns; and who, in time of war, have called out or drawn by lot the men required to fill up the Incorporated Militia, and, in either case, have marched them to Head Quarters. Above all, it has always been they who, using the moral influence they derived from their position in society, have smoothed away the difficulties which have arisen from time to time when contingents were required to be raised. These old and influential men were they who brought the mutinous, when there were any, to respect authority *and listen* to reason. In one word, it has been by their influence that the authorities have been able, *in times* of trouble, to secure obedience and submission to law. What, then, must be thought of the wisdom of that policy which, in the organization of the public defence, puts aside so powerful an engine and replaces it by that most ineffective one, and most unpopular in every locality—the Municipal Assessors!

By my Bill the duties of the Sedentary Militia will be the same as they have been in times past; it will always be by the agency of the Sedentary Militia that the contingents for the Service Militia will be furnished to the Commander in Chief.

In order to keep the Sedentary Militia distinct from the Service Force, it is provided that in future no person who has not attained the age of forty-five years shall be appointed an officer in the Sedentary Militia. By this means the appointment of officers to serve in the Sedentary Militia will not diminish the numbers of the Service Miliamen; and by their age and their position in society those appointed will be able to discharge more effectually the duties required of them. It has often happened that young men have procured commissions in the Sedentary Militia for the sole purpose of thereby obtaining exemption from Active Service, and from being drawn by ballot. Under the provisions of this Bill such a thing will become impossible.

And now, what is asked of the country in return for the numerous and important services which the officers of the Sedentary Militia are called upon to render? A few grades of purely honorary rank. Have not these men always performed the duties required of them gratuitously, and have they not

nobly responded to every appeal? The history of the past is there to answer for them. And yet, what does the present law do when it has set them aside? Why it replaces them by municipal officers, who must be paid; and this useless expense, for the purpose of giving effect to a ridiculous idea, will be greater than is generally supposed; twenty-five cents for every hundred names copied; and why, after all, should we pay for having that done badly which has hitherto been so well done gratuitously.

Besides reorganizing the Sedentary Militia I restore the old names of territorial divisions for Militia purposes. Thus, the Regimental Division will contain within its defined limits one or more Battalion Divisions; each Battalion Division will include a certain number of Company Divisions, which will not in any case be less than four nor more than ten. The care of fixing the limits of these divisions will be left to the Commander in Chief, who in this case as in all others in connection with the working of this law will act through the Adjutant General's Department.

By this means the rolls will be made by companies, as in time past, and when the time comes for enrolling men in the Service Militia, each Captain will furnish his proportion, not exceeding one sixth of the Service men of his company; so that a Company Division, whether small or great, thinly peopled or populous, will contribute only in proportion to its effective force. By this means nothing is left to chance; each company furnishes its contingent with what may almost be called mathematical precision.

Now let us for a moment compare this system with the provisions of the present law for the levying of contingents; by the law now in force, *each municipality* is a Military District by itself, and whether it is large or small, populous or thinly peopled makes no difference. When a ballot is ordered the names of a whole parish or township, written on small pieces of paper, are placed in a box, and after having been well shaken and stirred about in the box, are drawn from it one after the other until a sufficient number for the requisite contigent have been obtained. It is evident that in this way all is left to chance.

Whereas by my system a large parish or township is divided into eight or ten company divisions, and each company division gives only in proportion to its strength, the present law acknowledges only *one division*, and the contingent, proportioned to the whole number of service men in that large division, is drawn by lot, thereby exposing the smallest portion of the township or parish to the risk of being compelled to furnish

many more men than it ought, and consequently exempting a more populous locality from furnishing that proportion of the contingent for which it might justly be called upon. In whatever way I look at the mode of drawing men by lot under the present law, I fail to discover in it any thing but injustice or to foresee from it any thing but dissatisfaction. Nevertheless I distrust myself, and I wait for experience to confirm my fears or dispel my misgivings.

By this bill, as soon as the contingents are enrolled, the names of the men composing them are transmitted by the Captains of Companies to the commanding Officers of Battalions, who will be responsible for the correctness of the Rolls. The Commanding Officers of Battalions compile from these Rolls their Service Militia Returns, which they transmit to head quarters through the Colonels of their Regimental Divisions. At this point the duties of the Officers of the Sedentary Militia end and those of the Commander Chief, acting through the Adjutant General's Department, commence.

In view of the probability of Military Divisions varying in size and population being formed under this Bill, if it becomes law, and in order to admit of the strength of the battalions being proportioned to the population of the respective divisions, it is provided that the companies may consist of from forty-five to ninety rank and file, exclusive of officers and non-commissioned officers, and that battalions may be composed of from four to ten companies.

Now, once the service militiamen are enrolled and the officers appointed by the Commander in Chief, will it not be the easiest thing in the world to cause the whole of the force thus organized to march to head quarters, or to any part whatever of the Province? All being thus prepared in advance, I think I may be forgiven the expression, which was perhaps a little too figurative and a little too military, made use of by me some time ago, namely, "that with the plan I had in view, I could make the militia march at the first sound of the bugle." And yet this expression need not cause the least alarm in the world. The government does not intend to march the militia to the frontier unnecessarily, nor even to withdraw the enrolled men from their employments unless it becomes absolutely necessary to do so. Organizing the militia upon an efficient footing is not provoking war; it is taking a prudent precaution against a danger which is remote perhaps, but still possible. Besides, it is not improbable that, for years to come, the only duty which the service militia will have to perform will be that of appearing at the annual review, and nothing more.

On the other hand, in case of their services being required, it will not be enough to bring the men together and make them acquainted with the officers who are to command them. Their instruction must be provided for. The question of how this is to be done is not an easy one to settle, and yet it is a very important one and deserves to be well considered. In the first place, in ordinary cases in time of peace, would it be reasonable to withdraw one sixth part of the most active of the population of the Province from their daily occupations in order to teach them the elements of the military art? I believe that the great majority of thinking persons will answer that it would not. But if war is at your doors; if there is an appearance of danger, even although the danger may not be imminent, naturally the case is changed. Ought we, in that case, to prepare ourselves a little, to do something? I believe it is indispensable to do something in such a case. It is very well to say so, some one may reply, but *what is to be done?* Have we the means of drilling from fifty to sixty thousand men for fifteen or twenty or thirty days, or longer? I think not; the expense would be very great without any equivalent advantage being obtained to say nothing of the absolute loss which the whole Province would sustain from the interruption of profitable labour. For the purpose of bringing so large a force together in camps of instruction the whole apparatus required for a regular army would have to be provided, including commissariat, waggon trains, tents, &c., &c., &c. A state of war only would justify such an expenditure. If, then, on the one hand it is impossible for us to make too great sacrifices, and on the other we admit that it would be imprudent not to make any, we must try to find a middle course. This middle course seems to me to be the keeping up of the military schools. To train an army of from fifty to sixty thousand men would be too expensive; but if we cannot train such a force, we can at least prepare a certain number of young men to act as officers and non-commissioned officers, and qualify them to instruct the militiamen when mustered into camp under the pressure of any imminent danger.

And here I must admit that the Military Schools are working better than I expected; and I cannot help acknowledging, as it is only just that I should do, that I was wrong last year in expressing doubts as to their usefulness before they were tried. I think now that if there is one good thing in the law at present in force it surely is the provision for the establisment of Military Schools; and I am happy to have it in my power to ascribe all the merit of that provision to my predecessor. But

in order that they may become of greater use their numbers must be multiplied. And yet I do not mean to say that it is possible to establish such schools away from garrisons, where, and where only, all the means of obtaining instruction are to be found. The schools which I propose to establish, under the name of drill associations, will be preparatory schools; they will be formed, in greater or less numbers according as they may be required, in all the Regimental Divisions. The cost of these Schools will be limited to the pay of the instructors and the amount for which the arms can be taken care of and kept in good order and repair. Prizes will be given to the best shots, and through the attraction this will give them in the eyes of the young men, these Drill Associations will become popular and be well attended. The young men who join these associations will learn squad drill and company drill, so that if they wish to attain to rank in the militia, they will be enabled to present themselves at the central Schools with a good beginning of instruction; and with this previously acquired knowledge it will take them very little time to obtain certificates of qualification.

By this means the Province will soon be able to dispense with assistance from without, and we shall have, in each locality, young men competent to discharge the duty of Drill Instructors. As living is cheap in the country, the situation of Drill Instructor will become an object of ambition to a good number of young men; and the Military Schools will create an emulation for the situation of Drill Instructor, similar to that for the diploma qualifying its holder for teaching in the model schools, to which the Normal Schools gave rise.

Unfortunately, men soon forget what they have learned, unless they have opportunities of practicing it from time to time; and so, in order that the precuniary sacrifices imposed upon the Province may not become altogether fruitless, the Commander in Chief will have the power, if he sees fit, to muster the graduates of the Mililitary Schools together for a certain number of days, at different places in the Province, and have them drilled—thereby preventing them from forgetting what has been taught them. Power is also given to the Commander in Chief to cause the Service Militia to be drilled for a certain number of days; but it is to be presumed that this power will rarely be used, unless under very extraordinary circumstances. Besides, the grants for the Militia Service being annual, the people, through their representatives, will always exercise a legitimate control over the government; and as there cannot be any drilling without money, nothing of the kind can be done without the concurrence of the Legislature.

Since the peace of eighteen hundred and fifteen, the Province has, so to speak, only had a Militia on paper. The war which has afflicted the neighbouring states for more than three years must naturally have aroused in us the instinct of self preservation. If our proximity to the scene of war does make it necessary for this Province to incur some unwonted expenses at the present time, we ought to consider ourselves very fortunate to have come off so cheap, in comparison with the enormous sacrifices in men and money by which our neighbours are weighed down. The sacrifices imposed upon us by present circumstances cannot long continue to be required of us; and I cannot see why, when once peace has been re-established upon this continent, the cost of the militia should not be reduced to the average of its annual amount previous to eighteen hundred and sixty.

It would be of no use [illegible] of it is, nearly, a mere repetition of what is to be found in all the Acts respecting the militia which have been passed, at different times, during very many years.

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